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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/241,153	02/01/1999	TAKAAKI TERASHITA	048986-5001	8305

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EXAMINER

TILLERY, RASHAWN N

ART UNIT PAPER NUMBER

2612

DATE MAILED: 01/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

65

Office Action Summary

Application No.

09/241,153

Applicant(s)

TERASHITA, TAKAAKI

Examiner

Rashawn N Tillery

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed November 7, 2001 have been fully considered but they are not persuasive.

Regarding Applicant's arguments concerning the Dalton patent not teaching recording information, which represents image processing conditions for the different kinds of digital cameras, selecting optimum image processing conditions from the condition information, in accordance with the camera kind information, and carrying out image processing on the digital image signals under the selected optimum image processing conditions, Examiner respectfully disagrees. As correctly stated by Applicant, Dalton teaches camera head replacement and adjustment of operating parameters for the imager once installed. In such a device it is inherent that the manufacturer recorded information be representative of image processing data conditions, and that the "optimum image processing conditions" be selected in accordance with the camera kind information.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 4, 6 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Dalton et al (US5493332).

Regarding claims 1 and 6, Dalton discloses an image processing method for carrying out image processing on digital image signals, which have been acquired with different kinds of digital cameras (replacement CCD imagers), the apparatus comprising:

reading the digital image signals (see col. 2, lines 37-41);

receiving camera kind information, which represents the different kinds of digital cameras (see col. 5, lines 44-50);

recording condition information, which represents image processing conditions for the different kinds of digital cameras (see col. 6, lines 9-19);

selecting optimum image processing conditions from the condition information, in accordance with the camera kind information (see figure 4; the image processing conditions are selected from the LUT); and

carrying out image processing on the digital image signals under the selected optimum image processing conditions (see col. 2, lines 41-45).

Dalton teaches a controller and camera head configured to accept any one of a variety of CCD imagers (digital cameras) from different suppliers; and CCD imagers with different operational parameters (condition information) (see col. 5, lines 44-61).

Regarding claim 4, Dalton discloses that the camera kind information is appended to the digital image signals (see col. 6, lines 9-19 since, both the camera head and the camera body contain memories containing the stored parameter data, the information must be transferred via the digital signal).

Regarding claim 10, see claim 4 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalton et al.

Regarding claim 2, Dalton discloses, in col. 5, lines 51-61, that the various operational parameters and the replacement CCD imagers are stored in a memory prior to camera operation. While Dalton does not explicitly disclose calculating the statistical information upon receipt of the digital signal, it would have been obvious to one of ordinary skill in the art at the time the invention was made to calculate the statistical

information and determine the image processing conditions in accordance with the statistical information during manufacturing.

Regarding claim 8, see claim 2 above.

3. Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalton et al in view of Hirasawa et al (US5488414).

Regarding claims 3 and 9, Dalton discloses a camera processor capable of processing a variety of different CCD imagers. Dalton does not explicitly disclose displaying the different kinds of digital cameras. However, Hirasawa discloses, in figure 5 and col. 7, lines 36-44, that it is well known in the art to display, to the user, as much information as possible. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Hirasawa's teachings. One would have been motivated to do so in effort to maintain ease of operability.

4. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalton et al.

Regarding claims 5 and 11, Dalton discloses a way of automatically inputting camera kind information representative of the kinds of digital cameras. Dalton does not, however, disclose a manual input. *In re Venner* reveals that since replacing a manual means with an automatic means accomplishes the same result, the limitation is not distinguishable over the prior art (*In re Venner*, 262 F.2d 91, 120 USPQ 193, 194 (CCPA 1958)). In addition, the same is true for replacing an automatic means with a manual means. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make something manual which was automatic so

Art Unit: 2612

as to allow the user to control the system according to his/her own needs and individual preferences.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tsunezune et al discloses a camera system with a plurality of camera head units usable together.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashawn N Tillery whose telephone number is 703-305-0627. The examiner can normally be reached on 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5359 for regular communications and 703-308-5359 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

RNT
January 14, 2002


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600